

PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS
SPECIAL MEETING, NOVEMBER 30, 2016

Pursuant to Section 19.84 and 59.14, Wis. Stats., notice is hereby given to the public that the Special Meeting of the **BROWN COUNTY BOARD OF SUPERVISORS** was held on **Wednesday, November 30, 2016 at 6:00 p.m.**, in the Legislative Room 203, 100 North Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered:

Call to order at 6:00pm

Invocation.

Pledge of Allegiance.

Opening Roll Call:

Present: Sieber, Nicholson, Hoyer, Gruszynski, Lefebvre, Erickson, Zima,
Vander Leest, Buckley, Landwehr, Dantine, Brusky, Ballard, Kaster,
Van Dyck, Linssen, Kneiszel, Clancy, Campbell, Moynihan, Blom,
Schadewald, Lund

Excused: De Wane, Evans, Becker

Total Present: 23 Total Excused: 3

No. 1 -- ADOPTION OF AGENDA.

A motion was made by Supervisor Clancy and seconded by Supervisor Lefebvre **“to approve agenda”**. Voice vote taken. Motion carried.

No. 2 -- COMMENTS FROM THE PUBLIC:

- a) State name and address for the record.
- b) Comments will be limited to five minutes.
- c) The Board's role is to listen and not discuss comments nor take action on those comments at this meeting.

Jim Dagneau, 125 Traders Point Ln, Green Bay, WI, thanked the Board, Corporation Counsel and other staff for working so hard to come up with a positive resolution regarding the banked sick-leave/insurance for retirees.

Randy Schultz, 965 Myrtle Ln, Green Bay, WI, spoke to the Board about his 31-year employment history with the Brown County Sheriff's Department. He asked the Board why he was treated differently upon his retirement in 2014 than those who retired before him and those retiring now.

County Clerk Sandy Juno addressed the Board regarding the 2016 Presidential Election Recount which begins tomorrow. She invited all Supervisors to stop in the recount location at 916 Willard Drive, Ashwaubenon, to observe how the process works and see what's happening.

No. 3 -- Committee of the Whole

Communication by Supervisor Buckley re: Bring forward a clear resolution addressing the use of sick time by retired employees. The resolution needs to address Brown Co. employees that are allowed to bank sick time and their ability, upon retirement, to move the sick time into a tax exempt Veba-type account to be used for insurance purposes. *Referred from November 14, 2016 County Board Meeting.*

No. 3a -- Ordinance Amending Section 4.73 of Chapter 4 of the Brown County Code Entitled "Banked Sick Leave".

THE BROWN COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1 – Subsection (1) and Subsection (2) of Section 4.73 of the Brown County Code of Ordinances are hereby amended as follows:

- (1) Employees participating in the banked sick leave program will have sick leave accumulation "banked" into a sick leave accumulation account, which may be used by the employee to supplement short term disability benefits received for a disability. Banked sick leave may be used to make the employee whole for base pay earnings; however, no additional sick leave benefits will accrue into the banked account. Fifty percent (50%) of an employee's unused accumulated banked sick leave, up to a maximum of 90 days (maximum payout - 45 days unless otherwise required by labor agreement) ~~may~~ will be used in the following manner:
 - ~~(a) cash payment, or~~
 - (a) rolled over into a separate VEBA account upon termination of employment or retirement to be used for Section 213(d) eligible expenses.
 - ~~(b) request the Employer to set up escrow account for said amount in (a) above, from which health insurance premiums shall be paid (at the Employer's group rate in full) until sum is depleted.~~
- (2) In the event of death of an employee, the surviving beneficiary ~~may continue to have health insurance premiums paid until the sum is depleted as in (b) above or the aforementioned 50% sum or the remainder of the escrow account will be paid in cash to the employee's estate, at the surviving beneficiary's option~~ will have the balance rolled over into a VEBA account to be used for Section 213(d) eligible expenses.

Section 2 – This ordinance shall become effective upon passage and publication.

Respectfully submitted,

HUMAN RESOURCES DEPARTMENT

Approved By:

/s/ Troy Streckenbach 12/2/16
TROY STRECKENBACH (Date)
COUNTY EXECUTIVE

/s/ Sandra L. Juno 12/15/16
SANDRA L. JUNO (Date)
COUNTY CLERK

/s/ Patrick W. Moynihan, Jr. 12/2/16
PATRICK W. MOYNIHAN, JR. (Date)
COUNTY BOARD CHAIR

Fiscal Note: This ordinance change does not require an appropriation from the General Fund.
Approved by Corporation Counsel

A motion was made by Supervisor Nicholson and seconded by Supervisor Buckley **“to adopt”**.
Voice vote taken. Motion carried unanimously with no abstentions.

No. 3b -- Resolution RE: Authority to Execute Changes in the Brown County Sheriff’s Department Supervisory and Non-Supervisory Employees Labor Agreements.

TO THE HONORABLE CHAIRMAN AND MEMBERS
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the Brown County Board of Supervisors desires that the Sheriff’s Department Supervisory and Non-Supervisory Employees Labor Agreements be changed to allow for said employees to, in general terms and with limits, bank sick leave into an accumulation account: 1) that, upon termination of employment or retirement, may be rolled over into a separate Voluntary Employees’ Beneficiary Association (VEBA) account to be used for Section 213(d) eligible expenses; and 2) that, in the event of the death of an employee with a surviving beneficiary, may be rolled over into a VEBA account to be used for Section 213(d) eligible expenses; and

WHEREAS, the Labor Agreement language desired to be changed is found in the following Articles of said Labor Agreements: 1) Sheriff’s Supervisory Employees Contract, Article 21, Banked Sick Leave; and 2) Sheriff’s Non-Supervisory Employees Contract, Article 38, Sick Leave / Banked Sick Leave.

NOW THEREFORE BE IT RESOLVED, by the Brown County Board of Supervisors, that attempts shall be made by the Human Resources Department to make changes to the above mentioned Articles 21 and 38 to have said language more closely reflect the desired criteria above.

Respectfully submitted,
HUMAN RESOURCES DEPARTMENT

Approved By: /s/ Troy Streckenbach Date: 12/2/16

Fiscal Note: This change does not require an appropriation from the General Fund.

Approved by Corporation Counsel

A motion was made by Supervisor Schadewald and seconded by Supervisor Buckley “**to adopt**”. Voice vote taken. Motion carried unanimously with no abstentions.

ATTACHMENT TO #3B

ON THE FOLLOWING PAGE

HUMAN RESOURCES DEPARTMENT

Brown County

305 E. WALNUT STREET
P.O. BOX 23600
GREEN BAY, WI 54305-3600



PHONE (920) 448-4071 FAX (920) 448-6277 WEB: www.co.brown.wi.us

RESOLUTION/ORDINANCE SUBMISSION TO COUNTY BOARD

DATE: November 28, 2016
REQUEST TO: Brown County Board of Supervisors
MEETING DATE: November 30, 2016
REQUEST FROM: Pete Bilski
Interim Human Resources Director

REQUEST TYPE: ☒ New resolution ☐ Revision to resolution
☐ New ordinance ☐ Revision to ordinance

TITLE: Resolution Regarding Authority to Execute Changes in the Brown County Sheriff's Department Supervisory and Non-Supervisory Employees Labor Agreements

ISSUE/BACKGROUND INFORMATION:

The Banked Sick Leave and Sick Leave Articles in the Sheriff's Department Supervisory and Non-Supervisory Employees Labor Agreements need to be re-negotiated due to changes to Banked Sick Leave.

ACTION REQUESTED:

Approval to execute changes to the Banked Sick Leave / Sick Leave Articles in the Sheriff's Department Supervisory and Non-Supervisory Employees Labor Agreements.

FISCAL IMPACT:

NOTE: This fiscal impact portion is initially completed by requestor, but verified by the DOA and updated if necessary.

1. Is there a fiscal impact? ☐ Yes ☒ No
 - a. If yes, what is the amount of the impact? \$ _____
 - b. If part of a bigger project, what is the total amount of the project? \$ _____
 - c. Is it currently budgeted? ☒ Yes ☐ No
 1. If yes, in which account? _____
 2. If no, how will the impact be funded? _____

☒ **COPY OF RESOLUTION OR ORDINANCE IS ATTACHED**

36

No. 3c -- **Budget Adjustment Request (16-109): Any Allocation from the County's General Fund and Related Resolution Re: Approving Budget Adjustments to Various Department Budgets.**

TO THE HONORABLE CHAIRMAN AND MEMBERS
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, within the past 30 days departments have submitted the following adjustments to their departmental budgets that, per Wisconsin State Statutes, require approval by a 2/3 vote of the full County Board:

16-109 Resolution 10e dated August 15, 2012 transferred library employees **from being** under the
Library authority of **Brown County to being under the authority of** the Brown County Library Board effective January 1, 2013. The resolution indicated that the Brown County Library Board shall assume full fiscal responsibility for any accrued benefits including, but not limited to, the accumulation of sick leave that accrued for such employees while the said employees were under the authority of Brown County. The resolution language was silent regarding any potential of transfer of funds from the General Fund to the Library Fund for accumulated sick leave and the "fiscal impact" section of the resolution was blank.

This budget amendment transfers \$87,174.59 from the General Fund to the Library Fund for available sick leave payouts including FICA taxes as of 11-23-2016. Sufficient funds were previously set aside in the General Fund for this purpose.

Amount: \$87,175

and,

WHEREAS, these budget adjustments are necessary to ensure activities are appropriated and accounted for properly.

NOW, THEREFORE, BE IT RESOLVED, that the Brown County Board of Supervisors hereby approves the above listed budget adjustments.

Respectfully submitted,

COUNTY BOARD

Approved By: /s/ Troy Streckenbach Date: 12/2/16

Authored by Administration
Approved by Corporation Counsel's Office

Fiscal Note: The fiscal impact is as described in the individual budget adjustment listed above.

A motion was made by Supervisor Van Dyck and seconded by Supervisor Kaster **"to adopt"**. Voice vote taken. Motion carried unanimously with no abstentions.

ATTACHMENT TO 3C ON THE FOLLOWING PAGE

16-109

BUDGET ADJUSTMENT REQUEST

CategoryApproval Level

- | | | |
|---------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| <input type="checkbox"/> 1 | Reallocation from one account to another in the same level of appropriation | Dept Head |
| <input type="checkbox"/> 2 | Reallocation due to a technical correction that could include: <ul style="list-style-type: none"> • Reallocation to another account strictly for tracking or accounting purposes • Allocation of budgeted prior year grant not completed in the prior year | Director of Admin |
| <input type="checkbox"/> 3 | Any change in any item within the Outlay account which does not require the reallocation of funds from another level of appropriation | County Exec |
| <input type="checkbox"/> 4 | Any change in appropriation from an official action taken by the County Board (i.e. resolution, ordinance change, etc.) | County Exec |
| <input type="checkbox"/> 5 a) | Reallocation of <u>up to 10%</u> of the originally appropriated funds between any levels of appropriation (based on lesser of originally appropriated amounts) | Admin Committee |
| <input type="checkbox"/> 5 b) | Reallocation of <u>more than 10%</u> of the funds original appropriated between any of the levels of appropriation. | Oversight Comm
2/3 County Board |
| <input type="checkbox"/> 6 | Reallocation between two or more departments, regardless of amount | Oversight Comm
2/3 County Board |
| <input type="checkbox"/> 7 | Any increase in expenses with an offsetting increase in revenue | Oversight Comm
2/3 County Board |
| <input type="checkbox"/> 8 | Any allocation from a department's fund balance | Oversight Comm
2/3 County Board |
| <input checked="" type="checkbox"/> 9 | Any allocation from the County's General Fund | Oversight Comm
Admin Committee
2/3 County Board |

Justification for Budget Change:

Resolution 10e dated August 15, 2012 transferred library employees under the authority of the Brown County Library Board effective January 1, 2013. The resolution indicated that the Brown County Library Board shall assume full fiscal responsibility for any accrued benefits including, but not limited to, the accumulation of sick leave that accrued for such employees while the said employees were under the authority of Brown County. The resolution language was silent regarding any potential of transfer of funds from the General Fund to the Library Fund for accumulated sick leave and the "fiscal impact" section of the resolution was blank.

This budget amendment transfers \$87,174.59 from the General Fund to the Library Fund for available sick leave payouts including FICA taxes as of 11-23-2016. Sufficient funds were previously set aside in the General Fund for this purpose.

Fiscal impact \$87,175

Increase	Decrease	Account #	Account Title	Amount
<input checked="" type="checkbox"/>	<input type="checkbox"/>	100.090.9003	Transfer out	\$87,175
<input checked="" type="checkbox"/>	<input type="checkbox"/>	105.050.020.9002	Transfer in	\$87,175
<input type="checkbox"/>	<input type="checkbox"/>			
<input type="checkbox"/>	<input type="checkbox"/>			

AUTHORIZATIONS

Signature of Department Head

Department:

Date:

11/23/2016

Signature of DOA or Executive

Date:

11/23/16

Revised 8/21/14

No. 4 -- Such other matters as authorized by law.

No. 4a -- From Supervisor Dantine: Discuss the per diem fee for the Farm Bureau Rep on the Land Con Committee.

Referred to Land Conservation Subcommittee.

No. 5 -- Closing Roll Call.

Present: Sieber, Nicholson, Hoyer, Gruszynski, Lefebvre, Erickson, Zima, Vander Leest, Buckley, Landwehr, Dantine, Brusky, Ballard, Kaster, Van Dyck, Linssen, Kneiszel, Clancy, Campbell, Moynihan, Blom, Lund, Schadewald

Excused: De Wane, Evans, Becker

Total Present: 23 Total Excused: 3

No. 6 -- Adjournment.

A motion was made by Vice Chair Lund and seconded by Supervisor Blom **“to adjourn to Wednesday, December 21, 2016 at 6:00pm, Legislative Room 203, 100 N Jefferson St, Green Bay, WI.”** Voice vote taken. Motion carried unanimously with no abstentions.

Meeting adjourned at: 6:16pm.

/s/ Sandra L. Juno

**Sandra L. Juno
Brown County Clerk**